

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

_____)	MDL No. 1456
IN RE PHARMACEUTICAL INDUSTRY)	Master File No. 01-12257-PBS
AVERAGE WHOLESALE PRICE LITIGATION)	
_____)	Judge Patti B. Saris
)	
THIS DOCUMENT RELATES TO:)	
State of California, <i>ex rel.</i> Ven-A-Care v.)	
Abbott Laboratories, <i>et al.</i>)	
01-cv-12257-PBS and 03-cv-11226-PBS)	
_____)	

~~ORDER~~ ORDER OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the qui tam provisions of the California False Claims Act, under Government Code Sections 12652(a) and 12652(c)(1) *et seq.*, Relator Ven-A-Care of the Florida Keys, Inc. and the State of California filed a Stipulation of Dismissal as to Claims Against Sicor, Inc. (f/k/a Gensia Pharmaceuticals, Inc.; Gensia, Inc.; Gensia Sicor, Inc.). Upon due consideration of the Stipulation, the Notice, and the papers on file in this action,

IT IS HEREBY ORDERED that,

1. Consistent with the terms of the March 1, 2006, Settlement Agreement executed by the Sicor Defendants, the State of California and Relator, all civil monetary claims asserted on behalf of the State of California and Relator against Sicor, Inc. in Case Nos. 01-cv-12257-PBS and 03-cv-11226-PBS concerning the Covered Conduct as defined in Preamble Paragraph C of the Settlement Agreement shall be dismissed with prejudice.

2. No claim or allegation other than those as specifically identified in the stipulation shall be dismissed at this time. This stipulation has no effect on claims or allegations against any defendants other than Sicor, Inc. in Case Nos. 01-cv-12257-PBS and 03-cv-11226-PBS .

3. The Court reserves jurisdiction over the issue of the Relator's share.

Done this 6 day of March 2006.



PATTI B. SARIS
United States District Court Judge